

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

RICHARD & SHARON SCHELL

-----X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: 7/7/08
DATE FILED: 7/7/08

SCHEDULING ORDER

Plaintiff, :

08 Civ. 2161 (SAS)

- against - :

Conference Date: April 7, 2008

RITZ-CARLETON HUNTINGTON HOTEL, et al. :

Defendant(s). :

-----X

SHIRA A. SCHEINDLIN, U.S.D.J.:

WHEREAS, the Court issued an Order for a Conference in accordance with Fed. R. Civ. P. 16(b) on MARCH 19, 2008 (the "Order); and

WHEREAS, the Order requires that the parties jointly prepare and sign a proposed scheduling order containing certain information;

NOW, THEREFORE, the parties hereby submit the following information as required by the Order:

- (1) the date of the conference and the appearances for the parties;
April 7, 2008. M. Sean Duffy, Esq., Seacella Law Offices for Plaintiffs and Jennifer L. Covello, Esq., White Fleischman & Fino, LLP for Defendants Ritz-Carlton Huntington Hotel & Spa, Ritz-Carlton Hotel Co., LLC, Ritz-Carlton Management Co., LLC, Ritz-Carlton Sales Co., LLC and Marriott Int'l, Inc.
 - (2) a concise statement of the issues as they then appear;
Plaintiffs' allegation ship/trip and fall resulting in personal injuries (Richard)
 - (3) a schedule including:
a torn meniscus left knee / surgery - 6/3
 - (a) the names of persons to be deposed and a schedule of planned depositions;
Plaintiff Richard Schell
Plaintiff Sharon Schell
An employee of Defendants with personal knowledge of the incident/alleged condition → MAY - JUNE
On or before May 7, 2008
 - (b) a schedule for the production of documents;
On or before May 7, 2008
- and
- (c) dates by which (i) each expert's reports will be supplied to the adverse side
JULY 7, 2008
 - (ii) each expert's deposition will be completed;
AUGUST 7, 2008
 - (d) time when discovery is to be completed;
SEPTEMBER 17, 2008
 - (e) the date by which plaintiff will supply its pre-trial order matters to defendant;

OCTOBER 8, 2008

9/17

(f) the date by which the parties will submit a pre-trial order in a form conforming with the Court's instructions together with trial briefs and either (1) proposed findings of fact and conclusions of law for a non-jury trial, or (2) proposed voir dire questions and proposed jury instructions, for a jury trial; and

NOVEMBER 7, 2008 *10/8*

(g) a space for the date for a final pre-trial conference pursuant to Fed. R. Civ. P. 16(d), to be filled in by the Court at the conference.

8/21 at 4:30

(leave blank)

(4) a statement of any limitations to be placed on discovery, including any protective or confidentiality orders;

NONE AT THIS TIME

(5) a statement of those discovery issues, if any, on which counsel, after a good faith effort, were unable to reach an agreement;

NONE AT THIS TIME

(6) anticipated fields of expert testimony, if any;

MEDICAL, ENGINEERING

(7) anticipated length of trial and whether to court or jury;

ONE WEEK; By JURY

(8) a statement that the Scheduling Order may be altered or amended only on a showing of good cause not foreseeable at the time of the conference or when justice so requires;

(9) names, addresses, phone numbers and signatures of counsel;

M Sean Duffy, Esq.
Scarella Law Offices
44 Church Street, Suite 150
White Plains, N.Y. 10601
(914) 682-1400
[Signature]

SO ORDERED:

Shira A. Scheindlin
SHIRA A. SCHEINDLIN
U.S.D.J.

JENNIFER L. COVIELLO
White Fleischman & Fine, LLP
61 Broadway, 18th Floor
New York, NY 10006
(212) 487-9709
[Signature]

4/7/08